

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application No.: | 10/749,695 | Art Unit: | 1764 |
| Applicant(s): | Vierheilig | Examiner: | Singh, Prem C |
| Date Filed: | December 31, 2003 | Conf. No.: | 2181 |
| Docket No.: | 113222.146 US1 | Cust. No.: | |
| Title: | Gasoline Sulfur Reduction Using Hydrotalcite Like Compounds | | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PROPOSED AMENDMENT FOR DISCUSSION ONLY

Applicant respectfully thank Examiner for the time and respectfully submits that the Office Action still seems to confuse precursor and mixed metal oxide by the Office Action's own following statement:

"Vierheilig and Stamires both references use precursor mixtures to produce the mixed metal oxide. (page 10)"

- This sentence thinks or states that precursor produces the mixed metal oxide.
- Applicant respectfully submits that the Office Action might not realize that applicant is interchangeably referring to mixed metal oxide as also precursor as clearly stated in the Specification. Spec. shows that applicant is referring to mixed metal oxide as also precursor interchangeably and that precursor does not produce the mixed metal oxide.
- 023 alone or in view of Stamires does not disclose using a mixed metal oxide having an x-ray diffraction pattern displaying at least a reflection at a two theta peak position at about 43 degrees and about 62 degrees in an FCC unit to reduce gasoline sulfur, etc. '023 does not disclose using this mixed metal oxide and Stamires does not even disclose the mixed metal oxide.

Stamires does not disclose the precursor that is disclosed in applicant's invention. An applicant is allowed to be his own lexicographer and Stamires calls his compound a precursor but is not same precursor as applicant's. In other words, both Stamires and applicant (we) in this pending application have chosen to refer to their respective compounds, which differ, by the lexicon i.e.